

REMARKS

Remaining Claims

Claims 12-17 remain pending in this application, as claims 1-11 are cancelled herein. As explained in more detail below, Applicant submits that all claims are in condition for allowance and respectfully requests such action.

Rejection of Claims 10 - 11 under 35 USC §101.

Claims 10 and 11 stand rejected under 35 USC §101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicant has cancelled claims 10 and 11, and therefore this rejection is now moot.

Rejection of Claims 1, 4-8, and 10-17 under 35 U.S.C. § 112, second paragraph

Claims 1, 4-8, and 10-17 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim subject matter which Applicant regards as the invention. Applicant has cancelled claims 1-11 and respectfully traverses the rejection of claims 12-17.

The Examiner has taken the position that the phrase “the 802.1x” renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. However, Applicant has defined the term “802.1x” in the specification to mean “all of the IEEE standards that have the prefix 802.1, including, but not limited to, 802.11, 802.11a, 802.11b, 802.11c, 802.11d, 802.11e, 802.11f, 802.11g, 802.11h, 802.11i, etc.” (see page 1, paragraph 0002 of the present application). Applicant respectfully submits that the phrase “the 802.1x” does not render the claims indefinite. Accordingly, Applicant respectfully requests that the Examiner withdraw the §112 rejection.

Rejection of Claims 1, 2, 4 – 17 under 35 USC §102(e).

Claims 1, 2, 4 – 17 stand rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 7,009,952 of *Razavilar et al.* Applicant respectfully traverses this rejection. To advance prosecution, the Applicant has cancelled claims 1-11.

Independent claim 12 recites, "An 802.1x network comprising: an access point; and a server, the server comprising logic configured to determine when a call handoff switch from the 802.1x network to a cellular network is to occur and to communicate with a media gateway to cause the call handoff switch to occur." Independent claim 13 recites, "A cellular network comprising: call handoff circuitry configured to determine when a call handoff switch from an 802.1x network to the cellular network is to occur and to communicate with a media gateway to cause the call handoff to occur." Independent claim 14 recites, "A server in communication with a media gateway, the server comprising logic configured to determine when a call handoff switch from a cellular network to the 802.1x network is to occur and to communicate with a media gateway that causes the media gateway to make appropriate connections to cause the call handoff switch to occur." Independent claim 16 recites, "A cellular network comprising: logic configured to perform a call handoff switch from the cellular network to the 802.1x network so that a call being carried on the cellular network can be switched from the cellular network to the 802.1x network." Independent claim 17 recites, "A call handoff switching circuit of a media gateway, the switching circuit being in communication with an 802.1x network and with a cellular network, the switching circuit comprising: first logic configured to determine if a call handoff is to occur from an 802.1x network to a cellular network and to determine if a call handoff is to occur from a cellular network to an 802.1x network; and second logic configured to switch a call connection from an address associated with the 802.1x network to an address associated with the cellular network when the first logic determines that a call handoff is to occur from the 802.1x network to the cellular network, and configured to switch a call connection from an address associated with the cellular network to an address associated with the 802.1x network when the first logic determines that a call handoff is to occur from the cellular network to the 802.1x network."

Notably, all of the currently pending independent claims relates to handoff control by the cellular network, network server, or media gateway, and not in the handset itself. Notably, all of the passages identified by the Examiner include logic in the mobile device itself, which is clearly not what is being claimed. Nothing in *Razavilar* discloses, teaches, or suggests the feature of handoff control between networks that use dissimilar

transmission elements by a network or network element, as claimed. Accordingly, Applicant respectfully requests that the Examiner withdraw the §102 rejections.

Rejection of Claim 3 under 35 USC §103

Claim 3 stands rejected under 35 USC §102(e) as being unpatentable over U.S. Patent No. 7,009,952 of *Razavilar et al.* in view of U.S. Patent Pub. No. 20040127208 of *Nair et al.* Applicant has cancelled claim 3, and therefore, this rejection is now moot.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all pending claims are in condition for allowance, and Applicant requests a Notice of Allowance be issued in this case. Should there be any further questions or concerns, the Examiner is urged to telephone the undersigned to expedite prosecution.

Respectfully submitted,
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